

## **LAW**

**Nr. 9048, Date 07.04.2003**

### **“FOR THE CULTURAL HERITAGE”**

In accordance with the Article 59, point 1, letter “g”, Article 78 and 83, point 1 of the Constitution, with the proposal of the Council of Ministers,

THE PEOPLE’S ASSEMBLY OF  
THE REPUBLIC OF ALBANIA

### **D E C I D E D :**

#### CHAPTER 1

#### GENERAL CLAUSES

##### **ARTICLE 1**

This Law aims at the declaration and the protection of the cultural heritage within the territory of the Republic of Albania.

##### **ARTICLE 2**

The object of this law comprises the values of the cultural heritage, the prevision of the rules on its protection and the duties and responsibilities of the bodies operating in this field.

##### **ARTICLE 3**

For the purposes of this Law, the definitions used have the following mean:

1. "Architectural Ensemble" is the whole of a set of buildings, having the same creative concept;
2. "Historical Ensemble" is the community of urban-architectonic values provided with its historical ones as well;
3. "Museums Ensemble" is the whole of the urban-architectonic values protected by the state;
4. "Urban Ensemble" is the community of urban – architectonic having a civil center, which might be set up by one or several parts of a residential area.
5. "Urban, Architectonic and Traditional Ensemble" is the urban – architectonic whole of a residential center, formulated according the composition criteria of the past.
6. "Traditional Architecture" means the architecture of the past having relatively wide coherent implementation.
7. "Damage" is the intervention to the detriment of the cultural treasure, tangible or intangible infringing on the function or the original frontage of these properties;
8. "Oral folklore" is the folk creation text, not followed up by the music, which is read or told.
9. "Instrumental Folklore" is the popular musical creation being interpreted by popular musical instruments;
10. "Choreographic Folklore" means the dances and the creations , which are performed with or without musical instruments;
  1. "Vocal Folklore" include the musical compositions either sung or interpreted both provided with text and music;
  2. "Specialized state institutions" comprise the Institute of Cultural Monuments, the Institute of Archaeology, the Institute of Folk Culture, The General Directorate of State Archives, The National center of Cultural Folk Activities.
  3. "Inventory" means the record and the identification of the cultural heritage objects;
  4. "Informatics cataloging" deals with the record of data according to the scientific standards set on the identification and quick administration of the cultural property;
  5. "Protection" is the mean and way of legal aspect or not of the preservation, ,maintenance, restructuring or conservation of the cultural heritage;
  6. "Cultural monument" is the object or the construction of cultural and historical values protected by the state;
  7. "Object under preliminary protection" includes the cultural and tangible property, expected to be declared cultural monument by the responsible body.

8. "Object under supervision" is the cultural property not yet declared cultural monument, to be included as property under state protection.
9. "'Unique object" is the architectonic work in general use or of artistic or ornamental features, which up to a given moment, are identified as the only cultural and tangible heritage;
10. "Archaeological Park" is the area space of environmental values where there are preserved construction ruins, discovered by the archaeological excavations being protected by the state.
11. "Object's passport" is the identifying filing card of a cultural heritage object, where are put the object's photo, films, sketches, placing, measures, weight, composition, the computerized code, the author, the preservation place, description and the history.
12. "The Archaeological center" is the area space where there are preserved monuments and archaeological objects on and under the ground.
13. "Historical center" is the urban or rural ensemble of historical and cultural values under state protection;
14. "Museum town" is the urban center is the urban center being protected by the state for its historical and cultural values.
15. "'restoration" is the evaluation of the original substance of the monuments through intervention for the prevention of further degradation and for putting into prominence of their values.
16. "The status of the object" implies the legal status of the object;
17. "Heritage of national values" is the cultural, tangible or intangible property having historical and cultural values for the Nation;
18. "Heritage of museum values" comprises the cultural and tangible property, which for its historical, cultural or artistic values deserves to be preserved in the museum of various profiles;
19. "Heritage of particular values" is the cultural, tangible and intangible property of noticeable values..
20. "Heritage of unique values" comprises the cultural, tangible or intangible property, unique in its kind;
21. "Archaeological value" include the monuments, historical settlements of various kinds, objects or parts of construction works or settlements, coming out by archaeological excavations, bearing historical and cultural values;

22. "Ethnological value" include the values of culture, tangible or intangible,, which are linked to the essential features of a Nation.
23. "Traditional craft" is the tangible part and the concentrated experience of our popular handicrafts' masters through centuries.
24. "Archaeological area" is the surface area over which are situated the monuments being discovered by the archaeological excavations or where it is identified the existence of stratum bearing archaeological compositions;

#### **ARTICLE 4**

The cultural heritage is composed of tangible and intangible values, which are part of the national property.

- I. The tangible values of the cultural heritage are as follows:
  1. Objects of immovable cultural heritage , where there are included:
    - a) centers, zones and regions, dwelling or non-dwelling, of archaeological historical, ethnological, architectonic and engineering value. Here are included also objects of such characteristic being of ruin situation, of over 100 years old.
    - b) Urban, architectonic and historical ensemble , buildings or building constructions of particular values; As such are the objects of this kind in ruin status, of over 100 years old;
  2. Objects of movable cultural heritage, where there included:
    - a) Objects, parts or elements of objects, as described in letter "b" of point 1 of this Article, such as mosaics, capitols, sculptures, columns, mural pictures, icons, iconostate, characteristic ceilings, epitaphs, tombs, of 100 years old.
    - b) Archaeological movable stuffs, coming out from archaeological excavations, are collected by the archaeological searches or they come as occasional findings or which are preserved in collections or other various funds;
    - c) The artistic creations of all kinds and types. Here there are excluded the creations of the living authors;
    - d) Archive documents of national historical importance.

- e) Manuscripts and publications, books and periodicals of particular historical and bibliographical values.
- f) Various philatelic, numismatics art collections, of a seniority over 25 years old.
- g) Traditional working, handcrafts and living tools. The mechanisms, machineries or the objects of everyday or ceremonial use, of artisan, ethnographic or historical values, objects produced in artisan way, of an old age of over 50 years and also fabricated objects of a seniority over 75 years old.
- h) Producing technology of traditional products;
- i) Cold steel and fire arms, both handicrafts and fabricated productions of the beginning of II World War;
- j) Individual objects of historical distinguished personalities.
- k) The objects included into the properties' inventory, declared under preservation or protection, of the museum network and of the art galleries and state institutions of the country up to the year 1991.

II. The intangible values of the cultural heritage are as follows:

- 1. The use of the Albanian language in the literary works;
- 2. The memory recall verbal (wordy) folklore, written or recorded;
- 3. Vocal, choreographic or instrumental folklore;
- 4. Customs and traditional habits (morals);
- 5. beliefs and traditional dependences;
- 6. various traditional crafts;

#### **ARTICLE 5**

- 1. The tangible and intangible values of the cultural heritage, which are presently excavated or created, despite their proprietorship, are protected by the state.
- 2. The Minister of Culture, Youth and Sports declares the National day of the Cultural Heritage.

#### **ARTICLE 6**

The Ministry of Culture, Youth and Sports, the Academy of Sciences, the General Directorate of State Archives, the Universities as well as the local governing bodies, in accordance to their own respective fields of investigations, carry out the searches, the protection, the preservation, the restoration, the treatment, the study, the inventory and the informatics filing of the cultural heritage objects.

## **ARTICLE 7**

1. The Institute of the Cultural Monuments, the National Centre of the Cultural Properties' Inventory, the Institute of Archaeology, the Institute of Folk Culture and the General Directorate of the State Archives, in pursue to the scientific criteria, ascertain the values of the tangible and intangible cultural heritage, as such already declared, which are property of any physical or legal person, and make up their certification.
2. These objects, , must be obligatorily recorded in the National Center of the Cultural Property Inventory, which issues the certification passport of the object based on the above mention data.
3. Whatever some change into the proprietorship of the objects should be registered in the National Center of the Cultural Property Inventory.

## **ARTICLE 8**

Each physical or legal person is binding to preserve the whole of values of the cultural heritage and of the history which he/she owns or gets n use, following the criteria set by this Law or by-law acts issued in appliance to this Law.

## **ARTICLE 9**

1. The objects of the cultural heritage of particular national and unique values, which are not state property, might be collected, sold, bought, come into heir or gifted between Albanian citizens living within the territory of the country.
2. The Albanian state enjoys the right of pre-purchasing of the objects of particular national and unique values of the cultural heritage being under private proprietorship.
3. Any individual proprietor wishing to sell an object of the cultural heritage is asked to present in the Ministry of Culture, Youth and Sports the object's passport. The Ministry of Culture, Youth and Sports, aster consultations with the specialized bodies of the respective field, replies to the object's owner within 30 days after the submission of the request. In case the Ministry of Culture, youth and Sports is interested to buy this said object, it begins the evaluation procedures. Otherwise, the owner has the right to carry out the selling by attaching to the object's documentation the written recommendation of the institution which has ascertain the evaluation.
4. For the evaluation of the immovable cultural heritage objects, in private ownership, which are taken out of the territory of the

Republic of Albania, it is set up Standing Commission composed of experts coming from scientific specialized institutions, which upon the completion of the of objects' ascertain, recommends to the Ministry of Culture, Youth and Sports the delivery or not of the permission to export these objects out of the territory of the country.

5. The functioning of the Commission, the evaluation's procedures and the scientific criteria, the selection of the members and their honorarium are set by the Decision of the Council of Ministers.

#### **ARTICLE 10**

1. The displacement of the cultural heritage values to better preserve their values into proper premises as far as the security and the microclimate is concerned, and in accordance to the object's features, is performed by the Institute of the Cultural Monuments, the Institute of Archaeology, the Institute of the Folk Culture or the General Directorate of the State Archives.
2. The displacement is carried out after the above mentioned institutions have completed the respective documentation and searches and after they have realized the recording of the displacement in the National center of the Cultural Property Inventory.

#### **ARTICLE 11**

The multiplying or the reproduction of the certified objects of the cultural heritage must be done in accordance with the provisions of the legislation in force " On the copyright" and after getting the permission from the National Center of the Cultural Properties' Inventory.

#### **ARTICLE 12**

The objects of the cultural heritage n private ownership, having special national and unique values, in case of public interest, may be expropriated on the basis of legal provisions in power related to the expropriation.

#### **ARTICLE 13**

The physical or legal persons having in their ownership recorded objects of cultural heritage values, movable or immovable, are obliged to keep them under good conditions. For reasons of restorations, they must apply to the Institute of the Monuments, Institute of Archaeology, the Institute of Folk Culture or to the licensed subjects, following Article 17, point 3.

#### **ARTICLE 14**

In cases of natural calamities, of the demolition or combustion of the cultural heritage valued objects, when it is not decided upon its reconstruction over the remaining location or the ruined property, the construction is allowed only over the previous land surface and volume being strict to the category and the type of the damaged monument.

#### **ARTICLE 15**

1. The Institute of the Cultural Monuments, the Institute of Archaeology, the Institute of Folk Culture or the General Directorate of State Archives, on the authorization of the owner or in his presence have the right to examine the physical condition of the object or of the objects under private ownership.
2. The proprietors of each object, following the request made by the above mentioned institutions, are obliged to allow the examination of the physical condition of the objects.

#### **ARTICLE 16**

1. The specialized governmental institutions, in agreement with the owners and possessors of the cultural heritage objects, create the premises to exhibit these objects to the public.
2. The photographing, the shooting or the computerized filing and the publication of the cultural heritage objects, being exhibited into local museums, will be made after getting the permission from the governmental institution which this museum is dependent upon. For such objects, exhibited in the national museums, the permission must be approved by the Minister of Culture, Youth and Sports.

#### **ARTICLE 17**

1. The restoration of the cultural heritage objects is performed by the specialized governmental bodies and by the physical or legal persons being provided with the proper license.
2. The physical or legal persons, applicant to get the license in exercising the restoration profession in the field of cultural heritage, are assayed by the national Council of Restorations.
3. The National Council of Restoration is set up upon the commitment of the Minister of Culture, Youth and Sports, and it is composed of representatives from the specialized institutions and personalities of the respective field. The setting - up and the functioning of this Council are defined in its rules being approved by the Minister of Culture, Youth and Sports.
4. The license to practice the job in this field is approved by the Minister of Culture, Youth and Sports.

5. The works of restoration, which are accomplished by out-of-governmental system institutions, charged with the protection, conservation, restoration and surveys, are mandatory supervised by the governmental institutions.
6. Whatever the case, the restoration projects should be approved by the National Council of Restoration.

#### **ARTICLE 18**

The fund for the maintenance, restoration, finding out and the searching of the cultural heritage values comes from the state budget, being allocated to the Ministry of Culture, Youth and Sports; from revenues coming from their usage and from any other legal source being donated by various foundations, organisms or institutions, both domestic or foreign, governmental or private, or even donations by physical or legal persons.

The fund acquired by the utilization of the cultural monuments are totally used to the benefits of monuments' restoration and maintenance.

### **CHAPTER II**

#### **THE MOVABLE CULTURAL HERITAGE**

#### **ARTICLE 19**

1. The displacement from certain places of the movable cultural heritage objects, being state property of ordinary or particular values, of national or unique ones, to safeguard, restore, search or exhibit them within the country or the alienation of the property, is made upon the authorization of the Minister of Culture, Youth and Sports.
2. The displacement from certain places of the movable cultural heritage objects, being state property of common values, to safeguard, restore, search or exhibit them out of the territory of the Republic of Albania, is made upon the authorization of the Minister of Culture, Youth and Sports.
3. The transfer of the movable cultural heritage objects, of exceptional national and unique values, with the aim to protect, restore, study or exhibit them out of the territory of the Republic of Albania, is executed upon the authorization of the Council of Ministers. The procedures of such transfers are defined by the

- directive of the Council of Ministers, following the international conventions being ratified by the Republic of Albania to this end.
4. In any case, the permission issued should be registered to the National Center of Cultural Properties' Inventory.

#### **ARTICLE 20**

1. The cultural heritage objects being extra special, of national and unique character, are not gifted and exchanged, whatever the case.
2. On special occasions, the movable cultural heritage objects may be given as presents or exchanged between homologue institutions in other countries, when it is to the benefits of the nation and the objects are of equal value. The gift or the exchange is made upon the decree of the Council of Ministers.

#### **ARTICLE 21**

1. The Albanian state directly becomes the legal proprietor of the cultural heritage objects, which do not belong to the state property, but they are stolen or lost, and if their owner is not identified.
2. The Albanian state directly becomes the legal proprietor of the movable cultural heritage objects, which do not belong to the state property but they are illegally elicited abroad.

#### **ARTICLE 22**

The movable cultural heritage objects, the archives and the collections of the governmental and non-governmental institutions as well as those exhibited in the national or local museums, governmental or non-governmental ones, are protected and managed in accordance with the rules of the institutions themselves, which are compiled in conformity with this Law and with the legislation regarding the archives.

#### **ARTICLE 23**

In cases when the buildings where the state archives or other important valuables of the cultural heritage are secured, are turned back to the original proprietors and the expropriation is impossible, the Council of Ministers arranges the settling of these institutions to other proper premises.

### **CHAPTER III THE IMMOVABLE CULTURAL HERITAGE**

#### **ARTICLE 24**

1. The object of the cultural heritage is protected under the following division:
  - a. watching;
  - b. preliminary protection;
  - c. cultural monument of the 2nd category;
  - d. cultural monument of the 1<sup>st</sup> category
2. The objects in block are defined according as : archaeological park, museum city, museum area, historical city, archaeological center and museum ensemble.
3. The complete or partial divest of the state protection over an object or group-objects of the cultural heritage is an exclusive right of the body having previously declared such protection.

#### **ARTICLE 25**

1. The objects under watch (observance) comprises all the objects in wrecking condition, castle, cult (worship) objects, engineering constructions, public or luxurious constructions, built prior the year 1900 and those being under usage, built before the year 1944. Such a status is declared by the Institute of the Cultural Monuments and it is permanent.
2. The changing or abolition of this status is made on the request of the object' s proprietor addressed to the Institute of the Cultural Monuments.
3. There may not be changes or damages over the object enjoying such status, without the prior written permission of the Institute of the Cultural Monuments.

#### **ARTICLE 26**

1. The Institute of Cultural Institute declares "object under preliminary protection" any object of rare values. This status is given for a period of 6 months during which the institution must carry out the procedures to evaluate the further status of the said object.
2. Over the period defined in point 1, any intervention into the physical condition of the object is prohibited.

#### **ARTICLE 27**

Monuments of 2<sup>nd</sup> category comprise all the constructions on the museum areas and those in the protected areas of the museum cities in the historical centers not defined as monuments of 1<sup>st</sup> category. They are conserved in architectonic volumes and structures

(composition) of their outer appearance. The Minister of Culture, Youth and Sports declares them cultural monuments of 2<sup>nd</sup> category.

#### **ARTICLE 28**

1. Monuments of 1<sup>st</sup> category are the constructions of distinguished values and of special importance to the cultural heritage. They are conserved in the entirety of their architectonic and technical components.
2. The composition of the volumes, the architectonic treatment of the exteriors and interiors as well as the plan and functional solution of these monuments can not be altered.
3. The new constructions close to them must respect the distances of the protected areas.
4. The Minister of Culture, Youth and Sports declares them cultural monuments of the 1<sup>st</sup> category.

#### **ARTICLE 29**

0. Museum city, museum area, historical center, museum ensembles, the centers and the archaeological parks include that category of objects in block, which are conserved in their entirety as historical – archaeological, monumental, architectonic – urban and environmental complexes, and it is for this reason the new constructions should not interfere to the existing objects, except the engineering subterranean networks.
0. The rules governing the administration of the abovementioned objects are approved by the Council of Ministers on the proposal of the Minister of Culture, Youth and Sports.
0. The cultural monuments of the 1<sup>st</sup> and 2<sup>nd</sup> category inside the historical centers, museum cities and the museum ensembles may be utilized on other functions as well which do not affect their values. There may be settled governmental or private institutions, such as museums, libraries, monument parlor, phototeques, art gallery and various exhibitions.

#### **ARTICLE 30**

The specialized institutions of the cultural heritage fields, the local authorities and the owners or possessors of the objects enjoy the right to propose the declaration of cultural monuments of an object. The proposal should be addressed to the Minister of Culture, Youth and Sports.

### **ARTICLE 31**

1. The museum city, museum areas, the archaeological zones, the historical centers, the museum ensembles and the archaeological parks are declared as such on the decree of the Council of Ministers, after the proposal of the Minister of Culture, Youth and Sports.

2. The total or partial abolition of the protection level over the cultural monuments is made by the decision of the same body having previously taken such decision.

### **ARTICLE 32**

1. A terrene or wasteland around the cultural monument is determined as a protected area, matching their architectonic values, their urban-esthetic suitability, their surrounding and the ecologic environments.

2. The dimensions of the protected area are defined by the organ declaring the monument based on the result of the survey accomplished by the Institute of the Cultural Monuments.

### **ARTICLE 33**

1. The excavation, restoration, the utilization and any other action taken over the cultural monuments as well as any modification on the land location around put under their protection, is only effectuated by the authorization of the Archaeological Institute or of the Institute of Cultural Monuments.

2. The excavation of archaeological character and the use of the metal-tracer equipments by people or unauthorized subjects are forbidden.

### **ARTICLE 34**

The local government units collaborate with the Institute of Cultural Monuments and the Institute of Archaeology for the preservation protection of the cultural heritage objects situated over the territory of their jurisdiction. The Ministry of Culture, Youth and Sports defines the ways of the cooperation.

### **ARTICE 35**

The works for the maintenance, of restoration and the revitalization of the cultural monuments are accomplished using the funds allocated by the Ministry of Culture, Youth and Sports through the State Budget, after the approval of their working plans by the Institute of the Cultural Monuments.

### **ARTICLE 36**

1. The state covers all the expenses for the preservation of the historical -artistic values, which are not linked to the objects' stability ( constancy), for the cultural monuments of 1<sup>st</sup> and 2<sup>nd</sup> category, property of non-governmental subjects.
2. The other restoring works over these monuments are covered as follows:
  - a) 50% by the state and 50% by the owner for the monuments of the 1<sup>st</sup> category;
  - b) 30% by the state and 70% by the proprietor for the monuments of 2<sup>nd</sup> category.

### **ARTICLE 37**

1. When the non-governmental proprietor of the cultural monument do not possess funds to cover the restoring works, after the planning of these works, the state intervenes to the banks to get long-term loans on softening terms.
2. When the owner refuses the loan and when the monument risks to be demolished, the restoring works are even carried out without having his consent, by the Institute of the Cultural Monuments or by other licensed subjects. Upon the completion of the works, the owner is obliged to pay his own part of the expenses, in accordance with the Article 36 of this Law.

### **ARTICLE 38**

Any decision taken by the Councils of Territory rehabilitation to intervene or construct into the areas declared cultural monuments or protected area close to a cultural monument, despite its proprietorship, is non-effective ( invalid).

### **ARTICLE 39**

1. The cultural monuments may be revitalized for administrative and social – cultural reasons, on the condition that the new function should not affect the monument's value.
2. In any case, the utilization of the cultural monuments is allowed only after signing the contract between the user and the owner, who is asked to inform the Institute of the Cultural Monuments.

### **ARTICLE 40**

1. The sticking of the publicity papers over the cultural monuments is made only on the occasions of cultural festivities and they are temporary.

2. The cultural activities into the cultural monuments objects are organized only in cases when they do not risk or affect their values.
3. The Minister of Culture, Youth and Sports issue the permission to organize the cultural events and the putting of the publicity papers on them.

#### **ARTICLE 41**

The searches, the polling and the archaeological excavations over the whole territory of the Republic of Albania are monopoly of the Albanian state.

#### **ARTICLE 42**

1. The activities described in Article 41 are performed by the Institute of Archaeology.
2. These activities are accomplished based on the works coordination between the Institute of Archaeology and the Institute of the Cultural Monuments.
3. To realize these events, there may be cooperated with other specialized institutions, state or private ones, domestic or foreign. These co-operations are based on the agreements or contracts, bilateral or multilateral. The exclusivity of the foreign institutions is excluded. In any co-operating case, it s obligatory to have the approval of the supreme body.

#### **ARTICLE 43**

1. The centers, the areas and the archaeological parks are defined by the Institute of Archaeology and the Institute of the Cultural Monuments. Over the territories included in this group, any kind of intervention of constructing character or other activities that harm them, are prohibited.
2. The archaeological areas under survey are defined by the Institute of archaeology and the Institute of the Cultural Monuments. Each intervention over these areas is performed in the presence of the above institutions' experts.

#### **ARTICLE 44**

The archaeological objects, found during the archaeological excavations, are property of the Albanian state.

#### **ARTICLE 45**

The physical or legal persons, who discover or excavate, at random, objects of the cultural heritage, are bound to inform, within 20 days, the cultural local bodies, the Institute of Archaeology and the Institute of the Cultural Monuments by declaring the finding way and place.

After the documentation of the object, the experts commission set up to this end evaluate the values and decide upon the further status of the object and, the remuneration of this person.

#### **ARTICLE 46**

On the purpose of following up the occasional archaeological excavations, coming out during the agricultural diggings, engineering construction works or building constructions and taking the measures to preserve the values of these objects, when the respective units of the Institute of Archaeology and the Institute of the Cultural Monuments do not cover them, there are established special sets of temporary function on the decree of the Minister of Culture, Youth and Sports.

#### **ARTICLE 47**

In cases of huge constructions over the state or private property territory, such as roads, highways, airports, industrial works, new housing centers, the investors, during the drafting and applying their projects, are bound to consult with the experts of the Institute of Archaeology and the Institute of the Cultural Monuments. The experts check the area and prepare the respective report. When the area features important archaeological, ethnographic values or traces of ancient or traditional architecture, the project must be modified. The proposal to modify the project must be delivered by the institutions having performed the checking and the expenses for these modifications must be covered by the investors themselves.

#### **ARTICLE 48**

1. When right after the construction works have begun, there are found traces or objects of archaeological – ethnological values, the work will immediately be suspended.

The leaders and the investors of the works will inform within three days the local authorities, the Institute of Archaeology and the Institute of the Cultural Monuments, who are responsible to make the respective check-in , to report on the values found and make the proposals on the continuation or not of the working procedures.

2. If the findings are of important values, the started works may undergo changes or may be eventually interrupted. In such a case the decision is taken by the body enjoying the right to authorize the starting of the works.

3. In the case the workings should undergo changes, all their expenses as well as those covering the scientific searches, the necessary restoring or preserving activities, will be totally covered by the investor.

## **CHAPTER IV ADMINISTRATIVE VIOLATION**

### **ARTICLE 49**

1. There will be called administrative violations and be fined with the respective penalties the following offences, when they do not make up a penal deed:

- . the violations referred to Article 7 are fined with a penalty starting from 10.000 to 20.000 Albanian Leks;
- . the violations referred to Article 8 are fined with a penalty starting from 30.000 to 50.000 Albanian leks;
- . the violations referred to Articles 11 and 19, are fined with a penalty starting from 20.000 to 50.000 Albanian leks.
- . The violations referred to Article 14 are fined with a penalty starting from 100.000 to 500.000 Albanian leks;
- . The violations referred to Article 16, point 3 and Article 26, point 2, are fined with a penalty starting from 100.000 to 300.000 Albanian leks;
- . The violations referred to Article 28, point 2 are fined with a penalty starting from 100.000 to 500.000 Albanian leks;
- . The violations referred to Article 33, point 1 are fined with a penalty starting from 50.000 to 500.000 Albanian leks;
- . The violations referred to Article 45 are fined with a penalty starting from 10.000 to 50.000 Albanian leks.
- . The violations referred to Article 33, point 2 are fined with a penalty of 100.000 Albanian leks up to the confiscation of the equipment.
- . The violations referred to Articles 47 and 48 point 1, are fined with a penalty starting from 1.000.000 to 5.000.000 Albanian leks.

2.The damage caused on the unique objects of the cultural heritage constitutes a penal act and it is penalized according to the penal legislation.

#### **ARTICLE 50**

0. The inspectors of the Institute of Archaeology, of the Institute of the Cultural Monuments and of the National Center of the Cultural Property Inventory enjoy the right to impose the penalty, in accordance with the field they cover.
0. The treatment of the administrative violations, the claiming and the execution of the decisions are preformed based on the procedures and the terms defined in the Code of the Administrative Procedures.
0. The amount cashed by the fine-collecting goes 50 % to the State Budget and 50% to the institutions legally responsible for the object.

### **CHAPTER V TRANSITORY AND FINAL DISPOSITIONS**

#### **ARTICLE 51**

Each physical or legal person, owning objects comprising movable cultural heritage, must declare them to the cultural bodies of local government and record them into the National center of the Cultural Property Inventory following the procedures set by this Center, within a time of two years starting the entering into force of this Law.

#### **ARTICLE 52**

For the cultural monuments given on rent before this Law enters into force, the loan contract for the remaining period should be arranged in accordance with the dispositions of this Law.

#### **ARTICLE 53**

1. The Institute of the Cultural Monuments and the Institute of Archaeology, should present, within the time of 6 months from the date this law enters into force, to the Council of Ministers the list of the archaeological areas inside the territory of the residential centers of Shkodra, Lezha, Kruja, Durrës, Elbasan, Berat, Vlora and Saranda to be approved.
2. Within the period of one year from the date this Law enters into force, the Institute of the Cultural Monuments and the Institute of Archaeology present to the Council of Ministers the list of the

- bordering lines and the rules of administrating the archaeological parks of Shkodra, Iezha, Apollonia, Bylis, Amantia, Orikum, Antigonea, Finiq and Butrint to be approved.
3. The specialized institutions under the authority of the Ministry of Culture, Youth and Sports whose statutes are approved by the Minister of Culture, Youth and Sports, should revise, within a period of 6 months from the date this law enters into force, their statutes in accordance with this Law.

**ARTICLE 54**

It is the Council of Ministers in charge to issue bylaws in compliance of this Law, based on the Articles 9 point 5, Article 19 point 3, Article 20 point 2, Article 29 and 31 point 1.

**ARTICLE 55**

The Law nr.7867, date 12.10.1994 " For the protection of the cultural heritage, movables and immovable, is abrogated.

**ARTICLE 56**

This Law enters in force 15 days after its publication in the Official Gazette.

**Declared by the Decree nr.3804, bearing the date of 5<sup>th</sup> May 2003 of the President of the Republic of Albania, Alfred Moisiu.**